Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Thomasville Furniture Industries, Inc., Virginia Operations
Facility Name:	Thomasville Furniture Industries, Inc., Virginia Operations
Facility Location:	Route 460 Business; Appomattox, VA 24522
	Registration Number: 30616
	Permit Number: SCRO30616

November 29, 2005
Effective Date
November 28, 2010
Expiration Date

Director, Department of Environmental Quality
November 28, 2005
Signature Date

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I. Facility Information

Permittee
Thomasville Furniture Industries, Inc., Virginia Operations
P.O. Box 848
Appomattox, VA 24522

Responsible Official
W. W. Gilleland
V.P. and General Production Manager

Facility
Thomasville Furniture Industries, Inc., Virginia Operations
Route 460 Business
Appomattox, VA 24522

Contact Person
Sam Martin
Manager Environmental, Health, & Safety
(434) 352-7181 ext. 4749

County-Plant Identification Number: 51-011-00010

Facility Description: NAICS 337122 – Thomasville Furniture Industries, Inc., Virginia Operations manufactures wood furniture and wood furniture parts covered by Standard Industrial Classification (SIC) Code 2511. The facility was originally constructed in 1974 and consists of two boilers and miscellaneous woodworking and finishing equipment.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
ESBL1	EPBL1	Keeler Boiler DS-8-2 (1974)	12.96 MMBtu/hr	None	N/a	N/a	5/10/74
ESBL2	EPMC 2B	Keeler Boiler "MBK"(1974)	68.53 MMBtu/hr	Joy Manufacturing Western Precip. Group Multicyclone	CDMC2A CDMC2B	PM, PM-10	5/10/74
Woodworking Equipment Subject to 9 VAC 5 Chapter 50 (New or Modified)							
WW1-5	EPBF1-5	Misc. woodworking (Nos. 1-5 Dust Collector System)	Varies	Fabric filter	CDBF1-5	PM, PM-10	5/10/74
WW6	EPBF6	Misc. woodworking (No. 6 Dust Collector System)	Varies	Fabric filter	CDBF6	PM, PM-10	N/a
WW7	EPBF7	Misc. woodworking (No. 7 Dust Collector System)	Varies	Fabric filter	CDBF7	PM, PM-10	3/10/00
WW8	EPBF8	Wood hog transfer sys. (No. 8 Dust Collector System)	Varies	Cyclone and fabric filter	CDCY8 CDBF8	PM, PM-10	N/a

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Furniture Finishing Equipment Subject to 9 VAC 5 Chapter 50 (New or Modified)							
ESFN1	EPRC1, EPDO2, EPRC3, EPRC4, EPDT5, EPDO6, FRC7 (fugitive), EPRC8, EPDO9, EPRC10, EPRC11, EPRC12	Fill/Print Line (1974)	Varies	None	N/a	N/a	5/10/74
ESFN2	EPSB14, 14B, 15A, 15B, 17A, 17B, 19A, 19B, 19C, 20A, 20B, 21, 22, 23A, 23B, 25, 27, 28, 29, EPDO16, 18A, 18B, 18C, 24, 26A, 26B, 30, FDT31	Finishing Spray area (1974)	Varies	None	N/a	N/a	5/10/74

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
ESFN3	EPL32	Laminator Line	Varies	None	N/a	N/a	6/3/03
ESFN4	N/a	Gluing Operations Plantwide	Varies	None	N/a	N/a	5/10/74

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Fuel Burning Equipment Requirements – (Emission unit ID# ESBL1 & ESBL2)

A. Limitations

1. Particulate emissions from the #2 Keeler boiler (ESBL2) shall be controlled by two multicyclones in series (CDMC2A, 2B). The multicyclones shall be provided with adequate access for inspection. Monthly and annual inspections shall be conducted on the multicyclones (CDMC2A, 2B) by the permittee or multicyclone manufacturer per the 5/20/05 CAM Plan.
(9 VAC 5-80-110 C and 5/20/05 CAM Plan)

2. The approved fuel for the #1 Keeler boiler (ESBL1) is No. 2 fuel oil. The approved fuels for the #2 Keeler boiler (ESBL2) are No. 2 fuel oil and scrap wood. No. 2 fuel oil is defined as fuel oil that meets the specifications for fuel oil number 2 under the American Society for Testing and Materials, "Standard Specification for Fuel Oils". Scrap wood includes wood and wood furniture and wood furniture parts production residue as collected by the facility's dust collector systems (WW1-WW8). The permitted facility may switch from one of these approved fuels to another approved fuel without notification. A change to a fuel not listed above may require a permit modification.
(9 VAC 5-80-110 B)

3. Emissions from the operation of the #1 Keeler boiler (ESBL1) shall not exceed the limits specified below:

   Particulate Matter (PM) 0.35 lbs/MMBtu

   Sulfur Dioxide 34.2 lbs/hr

   (9 VAC 5-80-110, 9 VAC 5-40-900A.1.b, and 9 VAC 5-40-930A.1)

4. Emissions from the operation of the #2 Keeler boiler (ESBL2) shall not exceed the limits specified below:

   Particulate Matter (PM) 0.35 lbs/MMBtu

   Sulfur Dioxide 180.9 lbs/hr

   (9 VAC 5-80-110, 9 VAC 5-40-900A.1.b, and 9 VAC 5-40-930A.1)

5. Visible emissions from each Keeler boiler (ESBL1, 2) exhaust shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-80-110 and 9 VAC 5-50-80)

B. Monitoring

1. At least one time per week an observation of the presence of visible emissions from the operating Keeler boiler ESBL1 stack shall be made. If visible emissions are observed the permittee shall:

   a. take timely corrective action such that the boiler resumes operation with no visible emissions, or,

   b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the boilers are 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed twenty percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the boiler resumes operation with visible emissions of 20 percent or less.

   The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
   (9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

2. At least one time per week an observation of the presence of visible emissions from the operating Keeler boiler ESBL2 stack shall be made. If visible emissions are observed the permittee shall:

   a. take timely corrective action such that the boiler resumes operation with no visible emissions, or,

   b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the boilers are 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed twenty percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the boiler resumes operation with visible emissions of 20 percent or less.

The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
(9 VAC 5-80-110 E, 40 CFR 64, and 5/20/05 CAM Plan)

3. The multicyclones for boiler ESBL2 shall be equipped with devices to continuously measure the differential pressure drop across each multicyclone (Ref. Nos. CDMC2A and CDMC2B). Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the multicyclones are operating.
   (9 VAC 5-80-110 E, 40 CFR 64, and 5/20/05 CAM Plan)

4. The monitoring device used to continuously measure the differential pressure drop across each multicyclone (Ref. Nos. CDMC2A and CDMC2B) shall be observed by the permittee with a frequency of not less than once per day to ensure good performance of the multicyclones. The permittee shall keep a log of the observations from the differential pressure drop monitoring device. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
   (9 VAC 5-80-110 E, 40 CFR 64, and 5/20/05 CAM Plan)

C. Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to the following:

   a. Visible emissions logs for the Keeler boiler stacks (ESBL 1, 2);

   b. The annual combustion of No. 2 fuel oil, in gallons in the Keeler boilers (ESBL1, 2);

   c. The sulfur content for each shipment of No. 2 fuel oil to be burned in the #1 Keeler boiler (ESBL1);

   d. The annual combustion of scrap wood, in tons, in the #2 Keeler boiler (ESBL2);

   e. The results of all stack tests; and

   f. The origin and value of all emission factors for all pollutants.

These records shall be maintained on site by the permittee for the most current five year period.
(9 VAC 5-50-50 and 9 VAC 5-80-110)

2. The permittee shall maintain records of the required training including a statement of time, place and nature training provided. The permittee shall have available good written operating procedures and a maintenance schedule for the boiler(s). These procedures shall be based on the manufacturer's recommendations, at minimum. All records required by this condition shall be kept on site and made available for inspection by the DEQ.
(9 VAC 5-80-110)

D. Testing

1. Once each permit term, at a frequency not to exceed five years, the permittee shall conduct a stack test for PM from the #2 Keeler boiler (ESBL2) while burning scrap wood to demonstrate compliance with the PM emission limit (lb/MMBtu) contained in Condition III.A.4 of this permit. The test shall be performed within 180 days after the effective date of this permit. The test shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30. The details of the tests shall be arranged with the South Central Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the South Central Regional Office within 60 days after test completion and shall conform to the test report format enclosed with this permit.
(9 VAC 5-50-30, 9 VAC 5-80-110, 40 CFR 64, and 5/20/05 CAM Plan)

2. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

E. Reporting

The permittee shall submit written reports in accordance with the General Conditions of this permit.
(9 VAC 5-80-110 F)

IV. Woodworking Conditions (Emission unit ID# WW7)

A. Limitations

1. Particulate emissions from the No. 7 Dust Collector System shall be controlled by a fabric filter (CDBF7). The fabric filter shall be provided with adequate access for inspection. The fabric filter shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper

working order at all times.
(9 VAC 5-80-110 and Condition 3 of March 10, 2000 permit)

2. All subsequent transfer of the collected material from the No. 7 Dust Collector System shall be controlled by a fabric filter and/or a completely enclosed transfer system.
(9 VAC 5-80-110 and Condition 4 of March 10, 2000 permit)

3. Fugitive particulate emissions from the collection and transferring of collected wood waste shall be controlled by complete enclosure.
(9 VAC 5-80-110 and Condition 5 of March 10, 2000 permit)

4. The No. 7 Dust Collector System shall not operate more than 7,800 hours per year, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-80-110 and Condition 7 of March 10, 2000 permit)

5. Emissions from the operation of the No. 7 Dust Collector System shall not exceed the limits specified below:

Particulate Matter (PM)	0.01 gr/dscf
PM_{10}	0.01 gr/dscf

(9 VAC 5-80-110 and Condition 8 of March 10, 2000 permit)

6. Visible emissions from the No. 7 fabric filter exhaust shall not exceed five (5) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-80-110 and Condition 9 of March 10, 2000 permit)

7. Visible emissions from any fugitive emission points associated with the No. 7 Dust Collector System shall not exceed 10 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-80-110 and Condition 10 of March 10, 2000 permit)

B. Monitoring

1. At least once per week an observation of the presence of visible emissions from the fabric filter (CDBF7) associated with the No. 7 Dust Collector System (WW7) shall be made. If visible emissions are observed, the permittee shall:

   a. take timely corrective action such that the fabric filter resumes operation with no visible emissions, or,

b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the fabric filter is 5 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 5 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fabric filter resumes operation with visible emissions of 5 percent or less.

c. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for fabric filter (CDBF7), the permittee may reduce the monitoring frequency for fabric filter (CDBF7) to once per month. Anytime the monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week.

The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

2. At least once per week an observation of the presence of visible emissions from any fugitive emission points associated with the No. 7 Dust Collector System (WW7) shall be made. If visible emissions are observed, the permittee shall:

a. take timely corrective action such that the No. 7 Dust Collector System (WW7) resumes operation with no visible fugitive emissions, or,

b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the affected fugitive emission point is 10 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 10 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the No. 7 Dust Collector System (WW7) resumes operation with visible fugitive emissions of 10 percent or less.

c. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for fugitive emission points associated with the No. 7 Dust Collector System (WW7), the permittee may reduce the monitoring frequency for fugitive emission points associated with the No. 7 Dust Collector System (WW7) to once per month. Anytime the monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week.

The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Office. These records shall include, but are not limited to:

a. Visible emissions log for the fabric filter (CDBF7) associated with the No. 7 Dust Collector System (WW7);

b. Visual emissions log for the fugitive emission points associated with the No. 7 Dust Collector System (WW7);

c. The yearly hours of operation of the No. 7 Dust Collector System to verify compliance with Condition IV.A.4 of this permit, recorded as the sum of each consecutive 12 month period;

d. Results of all stack tests; and

e. The origin and value of all emission factors for all pollutants.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 11 of March 10, 2000 permit)

D. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

E. Reporting

The permittee shall submit written reports in accordance with the General Conditions of this permit.
(9 VAC 5-80-110 F)

V. General Woodworking Conditions (WW1-WW6 and WW8)

A. Limitations

1. Emissions from the operation of the Dust Collector Systems (WW1-WW6 and WW8) shall not exceed the limits specified below:

   Particulate Matter 0.05 grains per standard cubic foot of exhaust gas

   (9 VAC 5-40-2270.B and 9 VAC 5-80-110)

2. Visible emissions, including fugitive emissions, from Dust Collector Systems (WW1-WW6 and WW8) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
   (9 VAC 5-50-80 and 9 VAC 5-80-110)

B. Monitoring

1. At least once per week an observation of the presence of visible emissions from each of the Dust Collector System (WW1-WW6 and WW8) fabric filter stacks shall be made. If visible emissions are observed the permittee shall:

   a. take timely corrective action such that the fabric filter resumes operation with no visible emissions, or,

   b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the fabric filter is 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 20 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fabric filter resumes operation with visible emissions of 20 percent or less.

   c. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for a Dust Collector System (WW1-WW6 and WW8) fabric filter stack, the permittee may reduce the monitoring frequency for that particular Dust Collector System fabric filter stack to once per month. Anytime the

monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week.

The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

2. At least once per week an observation of the the presence of visible emissions from any fugitive emission points associated with the Nos. 1-6 and 8 Dust Collector Systems (WW1-WW6 and WW8) shall be made. If visible emissions are observed, the permittee shall:

   a. take timely corrective action such that the affected Dust Collector(s) resumes operation with no visible fugitive emissions, or,

   b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the affected fugitive emission point is 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 20 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the affected Dust Collector System(s) resumes operation with visible fugitive emissions of 20 percent or less.

   c. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for fugitive emission points associated with the Nos. 1-6 and 8 Dust Collector Systems (WW1-WW6 and WW8), the permittee may reduce the monitoring frequency for fugitive emission points associated with the Nos. 1-6 and 8 Dust Collector Systems (WW1-WW6 and WW8) to once per month. Anytime the monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week.

   The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
   (9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters

necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Office. These records shall include, but are not limited to:

a. Visible emissions log for the Dust Collector System (WW1-WW6 and WW8) fabric filter stacks;

b. Visible emissions log for fugitive emission points associated with the Nos. 1-6 and 8 Dust Collector Systems (WW1-WW6 and WW8);

c. Results of all stack tests; and

d. The origin and value of all emission factors for all pollutants.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50 and 9 VAC 5-80-110)

D. Testing

The permittee shall conduct a test for PM-10 at the inlet and outlet of the dust collection system fabric filter (CDBF4) which is for the No. 4 Dust Collector System (WW4). An alternate fabric filter may be tested if approved by DEQ. The test shall be performed using EPA Method 201 for both the inlet and outlet or another method may be used as approved by DEQ. The test shall be performed within 180 days after the effective date of this permit. The test shall be conducted and reported and data reduced as set forth in 9 VAC 5-50-30. The details of the test shall be arranged with the South Central Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. Two copies of the test results shall be submitted to the South Central Regional Office within 60 days after test completion and shall conform to the test report format enclosed with this permit.

E. Reporting

The permittee shall submit written reports in accordance with the General Conditions of this permit.
(9 VAC 5-80-110 F)

VI. Fill/Print Line and Finishing Spray Area Conditions (Emission unit ID# ESFN1-2)

A. Limitations

Visible emissions from the fill/print line and finishing spray area (ESFN 1-2) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-50-80)

B. Monitoring

At least once per week an observation of the presence of visible emissions associated with the fill/print line and finishing spray area (ESFN 1-2) stacks shall be made. If visible emissions are observed the permittee shall:

a. take timely corrective action such that the affected portion(s) of the fill/print line and finishing spray area resumes operation with no visible emissions, or,

b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the portion(s) of the fill/print line and/or finishing spray area are 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed twenty percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fill/print line and finishing spray area resumes operation with visible emissions of 20 percent or less.

c. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for a fill/print line or finishing spray area (ESFN 1-2) stack, the permittee may reduce the monitoring frequency for that particular stack to once per month. Anytime the monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week.

The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the South Central Regional Office. These records shall include, but not limited to the following:

a. Visible emissions log for the emission points associated with the fill/print line and finishing spray area (ESFN 1-2) and

b. The origin and value of all emission factors for all pollutants.

These records shall be maintained on site by the permittee for the most current five-year period.
(9 VAC 5-50-50)

D. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

E. Reporting

The permittee shall submit written reports in accordance with the General Conditions of this permit.
(9 VAC 5-80-110 F)

VII. Laminating Line Conditions (Emission unit ID# ESFN3)

A. Laminating Line Limitations

1. Particulate matter emissions from the double sided brush cleaner portion of the laminating line shall be controlled by a fabric filter. The fabric filter shall be provided with adequate access for inspection and shall be in operation when the brush cleaner is operating.
   (9 VAC 5-80-110 and Condition 3 of 6/3/2003 Permit)

2. The throughput of urea formaldehyde resin through the resin application machine shall not exceed 205,000 gallons per year, calculated monthly as the sum of each consecutive 12 month period.
   (9 VAC 5-80-110 and Condition 5 of 6/3/2003 Permit)

3. Emissions from the operation of the board laminating line shall not exceed the limits specified below:

Volatile Organic Compounds	4.74 lbs/hr	7.2 tons/yr

The annual emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with the annual emission limits may be determined as stated in Condition numbers VII.A.2 and VII.C.

(9 VAC 5-80-110 and Condition 6 of 6/3/2003 Permit)

4. Visible emissions from the board laminating line (Ref. No. 1) shall not exceed 5 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110 and Condition 7 of 6/3/2003 Permit)

B. Monitoring

At least once per week an observation of the presence of visible emissions from the laminating line (ESFN3) shall be made while the laminating line is in operation. If visible emissions are observed the permittee shall:

a. take timely corrective action such that the laminating line resumes operation with no visible emissions, or,

b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the laminating line are 5 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 5 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the laminating line resumes operation with visible emissions of 5 percent or less.

c. If visible emissions inspections conducted during twelve (12) consecutive weeks show no visible emissions for the laminating line (ESFN3), the permittee may reduce the monitoring frequency for the laminating line stack to once per month. Anytime the monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week.

The permittee shall maintain an observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of

the observer. If the emission unit has not been operated for any period during the week it shall be noted in the log book.
(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

C. Recordkeeping

The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to:

a. Annual throughput of urea formaldehyde resin in units of gallons, calculated monthly as the sum of each consecutive 12 month period;

b. Material Safety Data Sheets (MSDS) or other vendor information showing VOC content and solids content for each raw material used;

c. Monthly emissions calculations for VOC using calculation methods based on mass balance approved by the South Central Regional Office to verify compliance with the annual emissions limitations in Condition VII.A.3;

d. Copies of notifications required by Condition 11 of 6/3/2003 NSR permit;

e. Scheduled and unscheduled maintenance, and operator training;

f. Visible emissions log for emission points associated with the laminating line; and

g. The origin and value of all emission factors for all pollutants.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.
(9 VAC 5-80-110, 40 CFR 63 Subpart JJ, and Condition 9 of 6/30/2003 Permit)

D. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

E. Reporting

The permittee shall submit written reports and certifications in accordance with the General Conditions of this permit.
(9 VAC 5-80-110)

VIII. Gluing Operations (Emission unit ID# ESFN4)

A. Recordkeeping

The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the South Central Regional Office. These records shall include, but are not limited to, the annual usage of glues, calculated monthly as the sum of each consecutive 12-month period, glue Material Safety Data Sheets, and the origin and value of all emission factors for all pollutants. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-50-50)

B. Reporting

The permittee shall submit written reports in accordance with the General Conditions of this permit.
(9 VAC 5-80-110 F)

IX. MACT Conditions (40 CFR 63, Subpart DDDDD) for #1 Keeler boiler (ESBL1)

The facility is to be operated in compliance with all applicable Federal requirements under 40 CFR 63, Subpart DDDDD, including future revisions (current copy attached) and with the requirements of 40 CFR part 63, subpart A as identified in Table 10 for subpart DDDDD. All terms used regarding 40 CFR 63, Subpart DDDDD shall have the meanings as defined in the Clean Air Act, 40 CFR 63.7575, and 40 CFR 63.2.
(9 VAC 5-60-100, 40 CFR 63.7575, and 40 CFR 63 Subpart A)

A. Reporting Requirements

1. Except where this permit is more restrictive, the permittee shall meet all applicable reporting requirements for liquid fuel boilers and submit notifications in accordance with 40 CFR 63 Subparts DDDDD and A.
   (9 VAC 5-80-110, 40 CFR 63.7545, 40 CFR 63.7550, and 40 CFR 63. Subpart A)

2. The permittee shall submit semiannual reports of malfunctions and deviations from applicable emission limits and work practice standards in Tables 1 through 4 of 40 CFR 63 Subpart DDDDD for the liquid fuel boiler (ESBL1) per 40 CFR 70.6(a)(3)(iii)(A).

   (9 VAC 5-80-110, 40 CFR 63.7550(f), and 40 CFR 63.10)

B. Recordkeeping

Except where this permit is more restrictive, the permittee in accordance with 40 CFR 63 Subpart DDDDD shall record and retain all information necessary to determine that the operation of the boiler ESBL1 is in compliance with the provisions of 40 CFR 63 Subparts A and DDDDD.

(9 VAC 5-80-110, 40 CFR 63.7555, and 40 CFR 63.10)

X. MACT Conditions (40 CFR 63, Subpart DDDDD) for #2 Keeler boiler (ESBL2)

The facility is to be operated in compliance with all applicable Federal requirements under 40 CFR 63, Subpart DDDDD, including future revisions (current copy attached) and with the requirements of 40 CFR part 63, subpart A as identified in Table 10 for subpart DDDDD. All terms used regarding 40 CFR 63, Subpart DDDDD shall have the meanings as defined in the Clean Air Act, 40 CFR 63.7575, and 40 CFR 63.2.
(9 VAC 5-60-100, 40 CFR 63.7575, and 40 CFR 63 Subpart A)

A. Limitations

Except where this permit is more restrictive, on or before September 13, 2007, boiler ESBL2 shall be in compliance with the requirements for existing large solid fuel boilers in 40 CFR 63 Subpart DDDDD, the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters and 40 CFR Part 63 Subpart A.
(9 VAC 5-80-110 and 40 CFR 63.7495)

B. Testing Requirements

The permittee shall conduct tests to demonstrate compliance to the applicable emission limits and work practice standards in Tables 1 through 4 of 40 CFR 63 Subpart DDDDD for solid fuel boilers. These requirements include the following:

a. an initial performance test or fuel analysis for the boiler ESBL2 shall be performed in accordance to the provisions of §40 CFR 63.7510.

b. subsequent compliance performance tests or fuel analysis for the boiler ESBL2 shall be performed in accordance to the provisions of §40 CFR 63.7515.

(9 VAC 5-80-110, 40 CFR 63.7510, and 40 CFR 63.7515)

C. Reporting Requirements

1. Except where this permit is more restrictive, the permittee shall meet all applicable reporting requirements for solid fuel boilers and submit notifications in accordance with 40 CFR 63 Subparts DDDDD and A.

   (9 VAC 5-80-110, 40 CFR 63.7545, 40 CFR 63.7550, and 40 CFR 63 Subpart A)

2. The permittee shall submit semiannual reports of malfunctions and deviations from applicable emission limits and work practice standards in Tables 1 through 4 of 40 CFR 63 Subpart DDDDD for the solid fuel boiler (ESBL2) per 40 CFR 70.6(a)(3)(iii)(A).

   (9 VAC 5-80-110, 40 CFR 63.7550(f), and 40 CFR 63.10)

D. Recordkeeping

Except where this permit is more restrictive, the permittee in accordance with 40 CFR 63 Subpart DDDDD shall record and retain all information necessary to determine that the operation of the boilers ESBL2 is in compliance with the provisions of 40 CFR 63 Subparts A and DDDDD.

(9 VAC 5-80-110, 40 CFR 63.7555, and 40 CFR 63.10)

XI. MACT Conditions (40 CFR 63, Subpart JJ)

The facility is to be operated in compliance with Federal requirements under 40 CFR 63, Subpart JJ, including future revisions (current copy attached) and with the requirements of 40 CFR part 63, subpart A as identified in Table 1 for subpart JJ. All terms used regarding 40 CFR 63, Subpart JJ shall have the meanings as defined in 40 CFR 63.801 and 40 CFR 63.2.
(9 VAC 5-60-100, 40 CFR 63.800, 40 CFR 63, Subpart A)

A. Emission Standard

Volatile Hazardous Air Pollutant (VHAP) emissions from the facility shall not exceed the following limits;

a. For finishing operations use any of the following methods;
   (1) Achieve a weighted average VHAP content across all coatings of 1.0 lb VHAP/lb solids, as applied;

   (2) Use compliant finishing materials that meet the following specifications:

      (a) Each sealer and topcoat has a VHAP content of no more than 1.0 lb VHAP/lb solids, as applied;

(b) Each stain has a VHAP content of no more than 1.0 lb VHAP/lb solids, as applied;

(c) Each thinner contains no more than 10.0 percent VHAP by weight except where excluded by (5) of this sub- section;

(d) Each washcoat, basecoat, and enamel that is purchased pre-made, that is, it is not formulated onsite by thinning another finishing material, has a VHAP content of no more than 1.0 lb VHAP/lb solids, as applied;

(e) Each washcoat, basecoat, and enamel that is formulated onsite is formulated using a finishing material containing no more than 1.0 lb VHAP/lb solids and a thinner containing no more than 3.0 percent VHAP by weight;

(3) Use any combination of averaging, compliant coatings, and control device such that no greater than 1.0 lb of VHAP being emitted per lb of solids used;

b. For cleaning operations strippable spray booth coatings shall be used that contain no more than 0.8 lb VOC/lb solids, as applied;

c. For contact adhesive operations compliant contact adhesives shall be used based on the following criteria;

(1) For aerosol adhesives, as well as hot melt, PVA, and urea-formaldehyde adhesives, and for contact adhesives applied to nonporous substrates there is no limit on the VHAP content of these adhesives;

(2) For foam adhesives used in products that meet flammability requirements the VHAP content can be no more than 1.8 lb VHAP/lb solids, as applied;

(3) For all other contact adhesives the VHAP content can be no more than 1.0 lb VHAP/lb solids, as applied;

(9 VAC 5-80-110, 9 VAC 5-60-100, and 40 CFR 63.802)

B. Continuous Compliance

Continuous compliance with the VHAP emissions limits shall be determined as follows: (See Conditions XI.H and XI.I for content and timing of report submissions and signature requirements)

a. For finishing operations when averaging is being used to show continuous

compliance, the permittee shall submit the results of the averaging calculation (Equation 1) for each month within that semiannual period and submitting a compliance certification with the semiannual report. The compliance certification shall state that the value of (E), as calculated by Equation 1, is no greater than 1.0. The facility is in violation of the standard if E is greater than 1.0 for any month. A violation of the monthly average is a separate violation of the standard for each day of operation during the month, unless the affected source can demonstrate through records that the violation of the monthly average can be attributed to a particular day or days during the period.

$$E = (M_{c1}C_{c1} + M_{c2}C_{c2} + ... + M_{cn}C_{cn} + S_1W_1 + S_2W_2 + ... \ S_nW_n)/(M_{c1} + M_{c2} + ... + M_{cn})$$

Equation 1

E = the emission limit achieved by an emission point or a set of emission points, in lb VHAP/lb solids.

M_c = the mass of solids in a finishing material or coating (c) used monthly, including exempt finishing materials and coatings, lb solids/month.

C_c = the VHAP content of a finishing material or coating (c), in pounds of VHAP per pound of coating solids.

S = the VHAP content of a solvent, expressed as a weight fraction, added to finishing materials or coatings.

W = the amount of solvent, in pounds, added to finishing materials and coatings during the monthly averaging period.

The Emission Limit (E in lb VHAP / lb solids) equals the sum, for all finishing materials and coatings, of the mass of solids in each material used within that month (M_c in lb solids / month) multiplied by the VHAP content in each material (C_c in lb VHAP / lb solids) plus the sum, for all solvents, of the mass of solvent used monthly (W in lb solvent / month) multiplied by the weight fraction of VHAP in the solvent (S in lb VHAP / lb solvent), with this total being divided by the sum, for all finishing materials and coatings, of the mass of solids in each finishing material and coating used within that month (M_c in lb solids / month).

b. For finishing operations when compliant coatings are being used to show continuous compliance, the permittee shall use compliant coatings and thinners, maintain records that demonstrate the finishing materials and thinners are compliant, and submit a compliance certification with the semiannual report which states that compliant stains, washcoats, sealers, topcoats, basecoats, enamels, and thinners, as stated in Condition XI.A, have been used each day in the semiannual reporting period or should otherwise identify the periods of noncompliance and the reasons for noncompliance. The facility is in violation of the standard whenever a noncompliant coating, as demonstrated by records or by a sample of the coating, is used, unless compliance can be demonstrated under XI.B, above.

c. For contact adhesive operations when compliant adhesives are being used to show continuous compliance the permittee shall submit a compliance certification with the semiannual report. The compliance certification shall state that compliant contact and/or foam adhesives have been used each day in the semiannual

reporting period, or should otherwise identify each day noncompliant contact and/or foam adhesives were used. Each day a noncompliant contact or foam adhesive is used is a single violation of the standard.

d. For strippable spray booth coatings the permittee shall submit a compliance certification with the semiannual report. The compliance certification shall state that compliant strippable spray booth coatings have been used each day in the semiannual reporting period, or should otherwise identify each day noncompliant materials were used. Each day a noncompliant strippable booth coating is used is a single violation of the standard.

e. For work practice standards the permittee shall submit a compliance certification with the semiannual report. The compliance certification shall state that the work practice implementation plan is being followed, or should otherwise identify the provisions of the plan that have not been implemented and each day the provisions were not implemented. During any period of time that the permittee is required to implement the provisions of the plan, each failure to implement an obligation under the plan during any particular day is a violation and the Administrator may require the permittee to modify the plan (see Condition XI.E).

(9 VAC 5-60-100, 40 CFR 63.804(g), 40 CFR 63.8, 9 VAC 5-170-160)

C. Submittals

All submittals regarding 40 CFR 63, Subpart JJ to the Administrator shall be sent to EPA Region III at the following address:

U.S. EPA Region III
Air Protection Division (3AP00)
ATTN.: Wood Furniture NESHAP Coordinator
1650 Arch Street
Philadelphia, PA 19103-2029

Copies of all submittals should also be sent to the South Central Regional Office.
(9 VAC 5-60-100, 40 CFR 63.13)

D. Operation and Maintenance

The permittee shall meet the following operation and maintenance requirements:

a. At all times, including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by all relevant standards.

b. Malfunctions shall be corrected as soon as practicable after their occurrence.

c. Operation and maintenance requirements established pursuant to Section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

d. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(9 VAC 5-60-100, 40 CFR 63.6(e))

E. Work Practice Standards

The permittee shall develop and implement the following work practice standards:

a. Work practice implementation plan - The permittee shall prepare and maintain a written work practice implementation plan that defines environmentally desirable work practices for the finishing and gluing operations and addresses each of the work practice standards presented in Conditions b. through l. that follow. The plan shall be developed no more than 60 days after the compliance date. The written work practice implementation plan shall be available for inspection by the Administrator upon request. If the Administrator determines that the work practice implementation plan does not adequately address each of the topics specified in §63.803 of Subpart JJ or that the plan does not include sufficient mechanisms for ensuring that the work practice standards are being implemented, the Administrator may require the permittee to modify the plan. Revisions or modifications to the plan do not require a revision of the source's Title V permit.

b. Operator training course - The permittee shall train all new and existing personnel, including contract personnel, who are involved in finishing, gluing, cleaning, and washoff operations, use of manufacturing equipment in these operations, or implementation of the requirements of Subpart JJ. All new personnel shall be trained upon hiring. All existing personnel shall be trained within six months of the compliance date. All personnel shall be given refresher training annually. The permittee shall maintain a copy of the training program with the work practice implementation plan. The training program shall include, at a minimum, the following:

(1) A list of all current personnel by name and job description that are required to be trained;

(2) An outline of the subjects to be covered in the initial and refresher training for each position or group of personnel;

(3) Lesson plans for courses to be given at the initial and the annual refresher training that include, at a minimum, appropriate application techniques, appropriate cleaning and washoff procedures, appropriate equipment setup and adjustment to minimize finishing material usage and overspray, and appropriate management of cleanup wastes; and

(4) A description of the methods to be used at the completion of initial or refresher training to demonstrate and document successful completion.

c. Inspection and maintenance plan - The permittee shall prepare and maintain with the work practice implementation plan a written leak inspection and maintenance plan that specifies:

(1) A minimum visual inspection frequency of once per month for all equipment used to transfer or apply coatings, adhesives, or organic HAP solvents;

(2) An inspection schedule;

(3) Methods for documenting the date and results of each inspection and any repairs that were made;

(4) The timeframe between identifying the leak and making the repair, which adheres, at a minimum, to the following schedule:

(a) A first attempt at repair (e.g., tightening of packing glands) shall be made no later than five (5) calendar days after the leak is detected; and

(b) Final repairs shall be made within 15 calendar days after the leak is detected, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within three months.

d. Cleaning and washoff solvent accounting system - The permittee shall develop an organic HAP solvent accounting form to record:

(1) The quantity and type of organic HAP solvent used each month for washoff and cleaning, as defined in §63.801 of Subpart JJ;

(2) The number of pieces washed off, and the reason for the washoff; and

(3) The quantity of spent organic HAP solvent generated from each washoff and cleaning operation each month, and whether it is recycled onsite or disposed offsite.

e. Chemical composition of cleaning and washoff solvents - The permittee shall not use cleaning or washoff solvents that contain any of the pollutants listed in Table 4 of Subpart JJ (see attached), in concentrations subject to MSDS reporting as required by OSHA.

f. Spray booth cleaning - The permittee shall not use compounds containing more than 8.0 percent by weight of VOC for cleaning spray booth components other than conveyors, continuous coaters and their enclosures, or metal filters, or plastic filters unless the spray booth is being refurbished. If the spray booth is being refurbished, that is the spray booth coating or other protective material used to cover the booth is being replaced, the permittee shall use no more than 1.0 gallon of organic HAP solvent per booth to prepare the surface of the booth prior to applying the booth coating.

g. Storage requirements - The permittee shall use normally closed containers for storing finishing, gluing, cleaning, and washoff materials.

h. Application equipment requirements - The permittee shall use conventional air spray guns to apply finishing materials only under any of the following circumstances:

(1) To apply finishing materials that have a VOC content no greater than 1.0 lb VOC/lb solids, as applied;

(2) For touchup and repair under the following conditions:

(a) The touchup and repair occurs after completion of the finishing operation; or

(b) The touchup and repair occurs after the application of stain and before the application of any other type of finishing material, and the materials used for touchup and repair are applied from a container that has a volume of no more than 2.0 gallons.

(3) When spray is automated, that is, the spray gun is aimed and triggered automatically, not manually;

(4) When emissions from the finishing application station are directed to a control device;

(5) The conventional air gun is used to apply finishing materials and the cumulative total usage of that finishing material is no more than 5.0 percent of the total gallons of finishing material used during that semiannual period; or

(6) The conventional air gun is used to apply stain on a part for which it is technically or economically infeasible to use any other spray application technology. The permittee shall demonstrate technical or economic infeasibility by submitting to the Administrator a videotape, a technical report, or other documentation that supports the permittee's claim of technical or economic infeasibility. The following criteria shall be used, either independently or in combination, to support the permittee's claim of technical or economic infeasibility:

(a) The production speed is too high or the part shape is too complex for one operator to coat the part and the application station is not large enough to accommodate an additional operator; or

(b) The excessively large vertical spray area of the part makes it difficult to avoid sagging or runs in the stain.

i. Line cleaning - The permittee shall pump or drain all organic HAP solvent used for line cleaning into a normally closed container.

j. Gun cleaning - The permittee shall collect all organic HAP solvent used to clean spray guns into a normally closed container.

k. Washoff operations - The permittee shall control emissions from washoff operations by:

(1) Using normally closed tanks for washoff; and

(2) Minimizing dripping by tilting or rotating the part to drain as much solvent as possible.

l. Formulation assessment plan for finishing operations - The permittee shall prepare and maintain with the work practice implementation plan a formulation assessment plan that:

(1) Identifies VHAP from the list presented in Table 5 of Subpart JJ that are being used in finishing operations;

(2) Establishes a baseline level of usage for each VHAP identified. The baseline usage level shall be the highest annual usage from 1994, 1995, or 1996, for each VHAP identified, except for formaldehyde and styrene which shall be determined as specified by §63.803 (l)(2). For VHAPs that do not have a baseline, one will be established according to Condition XI.E.l.(6) below.

(3) Tracks the annual usage of each VHAP identified that is present in amounts subject to MSDS reporting as required by OSHA.

(4) If the annual usage of the VHAP identified exceeds its baseline level, then the permittee of the facility shall provide a written notification to the South Central Regional Office and/or the Administrator that describes the amount of the increase and explains the reasons for exceedance of the baseline level. The following explanations would relieve the owner or operator from further action, unless the affected source is not in compliance with any State regulations or requirements for that VHAP:

(a) The exceedance is no more than 15.0 percent above the baseline level;

(b) Usage of the VHAP is below the de minimis level presented in Table 5 for that VHAP;

(c) The affected source is in compliance with its State's air toxic regulations or guidelines for the VHAP; or

(d) The source of the pollutant is a finishing material with a VOC content of no more than 1.0 lb VOC/lb solids, as applied.

(5) If none of the explanations listed in Condition XI.E.l.(4) above are the reason for the increase, the permittee shall confer with the South Central Regional Office and/or the Administrator to discuss the reason for the increase and whether there are practical and reasonable technology-based solutions for reducing the usage. The evaluation of whether a technology is reasonable and practical shall be based on cost, quality, and marketability of the product, whether the technology is being used successfully by other wood furniture manufacturing operations, or other criteria mutually agreed upon by the South Central Regional Office and/or the Administrator and owner or operator. If there are no practical and reasonable solutions, the facility need take no further action. If there are solutions, the owner or operator shall develop a plan to reduce usage of the pollutant to the extent feasible. The plan shall address the approach to be used to reduce emissions, a timetable for implementing the plan, and a schedule for submitting notification of progress.

(6) If the facility uses a VHAP of potential concern listed in Table 6 of Subpart JJ for which a baseline level has not been previously established, then the baseline level shall be established as the de minimis level provided in that same table for that chemical. The permittee shall track the annual usage of each VHAP of potential concern identified that is present in amounts subject to MSDS reporting as required by OSHA. If usage of the VHAP of potential concern exceeds the de minimis level listed in Table 6 of Subpart JJ for that chemical, then the permittee shall

provide an explanation to the South Central Regional Office and/or the Administrator that documents the reason for exceedance of the de minimis level. If the explanation is not one of those listed in Condition XI.E.l.(4), above, the affected source shall follow the procedures established in Condition XI.E.l.(5), above.

(9 VAC 5-60-100, 40 CFR 63.803(a)-(l))

F. Testing

If compliance testing is conducted the tests shall be conducted using the test methods and procedures as specified in 40 CFR 63.805 of Subpart JJ.
(9 VAC 5-60-100, 40 CFR 63.805)

G. Recordkeeping

The permittee shall maintain records of the following:

a. For emission limit purposes the permittee shall maintain the following:

(1) A certified product data sheet for each finishing material, thinner, contact adhesive, and strippable spray booth coating subject to the emission limits in Subpart JJ,

(2) The VHAP content, in lb VHAP/lb solids, as applied, of each finishing material and contact adhesive subject to the emission limits in Subpart JJ; and

(3) The VOC content, in lb VOC/lb solids, as applied, of each strippable booth coating subject to the emission limits in Subpart JJ.

b. Following the averaging method the permittee shall maintain copies of the averaging calculation for each month following the compliance date, as well as the data on the quantity of coatings and thinners used that is necessary to support the calculation of E in Equation 1.

c. The permittee shall maintain onsite the work practice implementation plan and all records associated with fulfilling the requirements of that plan, including, but not limited to:

(1) Records demonstrating that the operator training program required by Condition XI.E.b is in place;

(2) Records collected in accordance with the inspection and maintenance plan required by Condition XI.E.c;

(3) Records associated with the cleaning solvent accounting system required by Condition XI.E.d;

(4) Records associated with the limitation on the use of conventional air spray guns showing total finishing material usage and the percentage of finishing materials applied with conventional air spray guns for each semiannual period required by Condition XI.E.h.;

(5) Records associated with the formulation assessment plan required by Condition XI.E.l.; and

(6) Copies of documentation such as logs developed to demonstrate that the other provisions of the work practice implementation plan are followed.

d. The permittee shall maintain records of the compliance certifications submitted for each semiannual period following the compliance date.

e. The permittee shall maintain records of all other information submitted with the compliance status report and the semiannual reports.

f. The permittee shall maintain files of all information (including all reports and notifications) required, recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(9 VAC 5-60-100, 40 CFR 63.806, 63.10(b)(1))

H. Notification of Compliance

Each time a notification of compliance status is required, the permittee shall submit to the South Central Regional Office and EPA a notification of compliance status, signed by a responsible official of the company that owns or operates the facility who shall certify its accuracy, attesting to whether the source has complied with Subpart JJ. The notification shall list:

a. The methods that were used to determine compliance;

b. The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;

c. The methods that will be used for determining continuing compliance, including a

description of monitoring and reporting requirements and test methods;

d. The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified;

e. An analysis demonstrating whether the facility is a major source or an area source (using the emissions data generated for this notification);

f. A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

g. A statement by the permittee as to whether the facility has complied with Subpart JJ as expressed in this permit.

(9 VAC 5-60-100, 40 CFR 63.9(h))

I. Reporting

Reporting not otherwise required by this permit shall consist of the following:

a. The permittee when demonstrating continuous compliance shall submit a report covering the previous 6 months of wood furniture manufacturing operations:

(1) The first report shall be submitted 30 calendar days after the end of the first 6-month period following the compliance date.

(2) Subsequent reports shall be submitted 30 calendar days after the end of each 6-month period following the first report.

(3) The semiannual reports shall include the information required by Condition XI.B, a statement of whether the facility was in compliance or noncompliance, and, if the facility was in noncompliance, the measures taken to bring the facility into compliance.

(4) The frequency of the reports required by Condition XI.I.a above shall not be reduced from semiannually regardless of the history of the owner's or operator's compliance status.

b. The permittee, when required to provide a written notification by Condition XI.E.l.(4). for exceedance of a baseline level [§63.803(l)(4)], shall include in the notification one or more statements that explains the reasons for the usage increase. The notification shall be submitted no later than 30 calendar days after the end of the annual period in which the usage increase occurred.

(9 VAC 5-60-100, 40 CFR 63.807, 63.10(d))

XII. MACT Conditions (40 CFR 63, Subpart DDDD)

The facility is to be operated in compliance with all applicable Federal requirements under 40 CFR 63, Subpart DDDD, including future revisions (current copy attached) and with the requirements of 40 CFR part 63, subpart A as identified in Table 10 for subpart DDDD. All terms used regarding 40 CFR 63, Subpart DDDD shall have the meanings as defined in the Clean Air Act, 40 CFR 63.2292, and 40 CFR 63.2.
(9 VAC 5-60-100, 40 CFR 63 Subpart DDDD, and 40 CFR 63 Subpart A)

XIII. Facility Wide Conditions

A. Limitations

1. Unless otherwise specified in this permit, visible emissions from the any emission unit at this facility shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-50-80 and 9 VAC 5-80-110 A)

2. During the operation of a stationary source or any other building, structure, facility or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.
(9 VAC 5-50-90 and 9 VAC 5-80-110 A)

3. Volatile organic compounds shall not be intentionally spilled, discarded to sewers, stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution control practices for minimizing emissions.
(9 VAC 5-80-110 and 9 VAC 5-50-20)

4. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment,

monitoring devices, and process equipment which affect such emissions:

a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.

b. Maintain an inventory of spare parts.

c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.

d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
(9 VAC 5-50-20 E and 9 VAC 5-80-110)

B. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)

XIV. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
ESS T1, 3	Diesel fuel storage tank	9 VAC 5-80-720 B	VOC	
ESS T2	No. 2 fuel oil tank	9 VAC 5-80-720 B	VOC	
ESS T4	Boiler chemical storage tank	9 VAC 5-80-720 B	VOC	
ESS T5, 6	Propane storage tank	9 VAC 5-80-720 B	VOC	
ESS	Gasoline	9 VAC 5-80-720 B	VOC	

T7	storage tank			
ESS T8, 9	Finishing material storage tank	9 VAC 5-80-720 B	VOC	
ESS T10, 11, 12	Finishing material storage tank	9 VAC 5-80-720 B	VOC	
ESS T13, 14, 15	Finishing material storage tank	9 VAC 5-80-720 B	VOC	
PWO	Degreasing/ parts washing	9 VAC 5-80-720 B	VOC	
OWS O	Water evaporator / oil separator	9 VAC 5-80-720 B	VOC	
TWD S	Wood dust storage pile	9 VAC 5-80-720 B	PM	
ESC E1	Diesel fire pump engine	9 VAC 5-80-720 C		270 HP
ESC E2	LP gas emergency generator	9 VAC 5-80-720 C		40 HP

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

XV. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Applies to boilers constructed, reconstructed or modified after June 9, 1989

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by: (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

XVI. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

a. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

b. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.

c. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC

5 Chapter 80.

d. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

e. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D, and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

   f. The operating conditions existing at the time of sampling or measurement.

   (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
   (9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable

requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

a. The time period included in the certification. The time period to be addressed is January 1 to December 31.

b. The identification of each term or condition of the permit that is the basis of the certification.

c. The compliance status.

d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

f. Such other facts as the permit may require to determine the compliance status of the source.

g. One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, South Central Region within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition XVI.C.3. of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, South Central Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the

monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, South Central Region.
(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality. (9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;

d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.

b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.

2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:

   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.

   b. The permitted facility was at the time being properly operated.

   c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

   d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

   e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

   f. The provisions of this section are in addition to any malfunction, emergency or

upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.

b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)